

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 15, 1980  
6:00 P.M.

Council Chambers  
301 West Second Street

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The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Mayor Pro Tem Goodman, Councilmembers  
Cooke, Himmelblau, Mullen, Snell

Absent: Councilmember Trevino

The invocation was delivered by Reverend Henry E. Beseda, Austin  
Brethern Church.

RECOGNITION OF MAYOR PRO TEM

Mayor McClellan thanked Councilmember Mullen for his four months of  
service as Mayor Pro Tem; and welcomed Councilmember Goodman as Mayor Pro Tem  
for the next four months.

BLOOD FOR CANCER PATIENTS PLEDGE WEEK

Blood for Cancer Patients Pledge Week will be observed the week of  
May 18-24. Dr. Harvey Renger was in the Council Chamber to receive the proc-  
lamation read by Mayor McClellan. He thanked the Mayor and Council for the  
proclamation.

#### SENIOR CENTER DAY

Mr. Jim Music, President, Senior Citizens Advisory Board and Mrs. T. Galyean, Vice President, were in the Council Chamber, along with Board Members, to receive a proclamation, with their thanks, read by the Mayor, designating May 18, 1980 as Senior Center Day.

#### CUBAN INDEPENDENCE DAY

Councilmember Goodman read a proclamation naming May 20, 1980 as Cuban Independence Day. Mr. Pedro S. Gutierrez, Mr. Marino P. Duran Jr. and Dr. Rafael DeLaCruz were present in the Council Chamber to receive the proclamation with their thanks and appreciation.

#### SPECIAL OLYMPICS

Mayor McClellan read a proclamation for Special Olympics Days which will be observed May 20, 21 and 22, 1980. Mr. Dennis Poulos, State Director of Texas Special Olympics, and Bobby Carlisle, a participant from Travis State School, were in the Council Chamber to receive the proclamation with their thanks. Mr. Poulos presented the Mayor with a hat and made her an honorary official in the Texas Olympics.

#### SOCCER INTERNATIONAL DAY

Councilmember Mullen read a proclamation, which was received by Coach Curtis Ratliff and Laura Johnson, setting aside the day of May 15, 1980 as Soccer International day in Austin.

#### RESOLUTION FOR ANDREA BEATTY

Mayor McClellan read the following Resolution and asked that it be spread upon the Minutes. The occasion is the resignation of Ms. Andrea Beatty, Assistant City Manager, who has accepted the position of City Manager in Bellevue, Washington.

RESOLUTION:

WHEREAS, Andrea Beatty has served the City of Austin in a number of challenging positions: as Management Information Specialist in the Model Cities Department; as Director of the City of Austin Personnel Department; and as Assistant City Manager; and,

WHEREAS, Andrea Beatty has demonstrated the highest caliber of professionalism in the execution of her duties, providing the City of Austin with dutiful, efficient and dedicated services; and,

WHEREAS, Andrea Beatty has been recognized as the first woman in Texas to become Personnel Director in a major Texas City; the first woman in Texas to become an Assistant City Manager; the first woman to receive the Public Administrator of the Year award from the Austin Association of Public Administrators; and now the first woman to become a City Manager of a major American city; and,

WHEREAS, her signal accomplishments in behalf of the citizens of Austin will live for generations in programs which benefit the citizens of the future, as they benefit the citizens of today.

BE IT THEREFORE RESOLVED BY THE CITY COUNCIL OF AUSTIN, TEXAS:

That Andrea Beatty has well served the citizens of Austin with honest and devoted loyalty, giving of her time and energies toward maintaining a quality community; that Andrea Beatty accepts new challenges and responsibilities as the City Manager of Bellevue, Washington; that we call on all citizens to join us in this expression of appreciation for a job well done, and that we direct that this resolution be spread upon the minutes of the City Council of Austin.

IN WITNESS WHEREOF, we have hereunto set our hand and caused the Great Seal of the City of Austin, Texas to be affixed this 15th day of May, 1980, A.D.

JAYCEES RECOGNIZED

Mayor McClellan recognized the presence of Richard Wroten, incoming President, Austin Jaycees, in the Chamber audience. He introduced members of the new Jaycee Board of Directors who were in the Council Chamber to observe Council procedure.

APPROVAL OF MINUTES POSTPONED

Mayor McClellan announced that Councilmembers had not had time to read the Minutes for May 1, 1980 and May 8, 1980 so they are to be held until May 22, 1980.

BOARD AND COMMISSION APPOINTMENTS

It was announced by Mayor McClellan that the following Board and Commission appointments will be made on May 22, 1980:

Environmental Board, 1  
Building Standards Commission, 1  
Community Development Commission, 6  
Dental Health Advisory Committee, 9  
On-Going of Goals Assembly Committee, 1  
Elisabet Ney Museum Board, 4  
Medical Assistance Advisory Board, 1  
Commission on Status of Women, 2  
Private Industrial Council, 6  
Board of Equalization, 3  
Electric Utility Commission, 1

and 1 on the Planning Commission which is to be filled next week on an emergency basis.

EMINENT DOMAIN PROCEEDINGS

Councilmember Mullen moved that the Council adopt a resolution authorizing eminent domain proceedings to acquire the following tract of land for the C.D.D. #12 Project (Torres Street).

552 sq. ft. of land out of lots 7 and 8, Block 3, Mohle Addition. (Mrs. Jesse L. Russell, owner)

The motion, seconded by Mayor Pro Tem Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman,  
Councilmembers Himmelblau, Mullen, Snell

Noes: None

Absent: Councilmember Trevino

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LAND ACQUISITION

Councilmember Mullen moved that the Council adopt a resolution authorizing the acquisition of certain land for the Montopolis Neighborhood Center, CAPITAL IMPROVEMENTS PROGRAM No. 78/98-04.

1.258 acres of land out of Lot 1, Country Club Gardens, Section 5.  
(Creative Clothing, Inc.)

The motion, seconded by Mayor Pro Tem Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman,  
Councilmembers Himmelblau, Mullen, Snell

Noes: None

Absent: Councilmember Trevino

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Councilmember Mullen moved that the Council adopt a resolution authorizing acquisition of certain land for the U.S. 183/Springdale Road Interchange, CAPITAL IMPROVEMENTS PROGRAM No. 78/60-01.

0.380 of one acre of land, more or less, out of the J.C.  
Tannehill Survey (H.E. Butt Grocery Company)

The motion, seconded by Mayor Pro Tem Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman,  
Councilmembers Himmelblau, Mullen, Snell

Noes: None

Absent: Councilmember Trevino

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RELEASE OF EASEMENTS

Councilmember Mullen moved that the Council adopt a resolution authorizing release of the following easement:

A 5' Public Utility Easement and 5' of a 20' Public Utility Easement located in Lot 2, Block A, Cee Cave Woods Section II, 1337 Walsh Tarlton. (Requested by Pamela K. Harbour, owner)

The motion, seconded by Mayor Pro Tem Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman,  
Councilmembers Himmelblau, Mullen, Snell

Noes: None

Absent: Councilmember Trevino

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Councilmember Mullen moved that the Council adopt a resolution authorizing release of the following easement:

A portion of a 5' Public Utility and Surface Drainage Easement located in Lot 8 Block 2, Trailwood Village II at Travis Country, 4171 Travis Country Circle. (Requested by Mr. James G. Miller, owner)

The motion, seconded by Mayor Pro Tem Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman,  
Councilmembers Himmelblau, Mullen, Snell  
Noes: None  
Absent: Councilmember Trevino

CONTRACTS APPROVED

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

M.C. CONSTRUCTION COMPANY OF AUSTIN - CAPITAL IMPROVEMENTS PROGRAM -  
7305 Burnet Road Construction contract for  
Austin, Texas Police Training Academy -  
\$1,090,000.00 C.I.P. No. 78/87-01

The motion, seconded by Mayor Pro Tem Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman,  
Councilmembers Himmelblau, Mullen, Snell  
Noes: None  
Absent: Councilmember Trevino

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Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

JUAN CEMENT CONTRACTORS, INC. - CAPITAL IMPROVEMENTS PROGRAM -  
907 Presa Arriba Road E. 11th St, E. 12th St. Corridor  
Austin, Texas Improvements - HCD Rosewood Ave.  
Sidewalk Phase II - \$23,032.00  
C.I.P. No. 80/61-04

The motion, seconded by Mayor Pro Tem Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman,  
Councilmembers Himmelblau, Mullen, Snell  
Noes: None  
Absent: Councilmember Trevino

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Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

ASPHALT PAVING COMPANY	- CAPITAL IMPROVEMENTS PROGRAM -
7800 Hudson Loop	Overlay of Streets - 1980 -
Austin, Texas	\$414,642.70 C.I.P. No. 78/62-16

The motion, seconded by Mayor Pro Tem Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman,  
Councilmembers Himmelblau, Mullen, Snell  
Noes: None  
Absent: Councilmember Trevino

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Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

SOUTHWAY ELECTRIC UTILITY SERVICE	- Protective Relays, Central Stores
9705 Beck Circle	Division
Austin, Texas	Items 1 & 2 - \$11,048.64

The motion, seconded by Mayor Pro Tem Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman,  
Councilmembers Himmelblau, Mullen, Snell  
Noes: None  
Absent: Councilmember Trevino

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Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

Bid award:

- Water & Wastewater Materials,  
Three (3) Month Supply Agreement  
Items 1-25 awarded by line item  
to appropriate suppliers based on  
1st, 2nd & 3rd low bidder, etc.  
\$11,500.00

AUSTIN PIPE & SUPPLY  
300 Medina  
Austin, Texas

ROHAN COMPANY  
508-D E. St. Elmo  
Austin, Texas

TRANS-TEX SUPPLY COMPANY  
4618 E. 7th Street  
Austin, Texas

The motion, seconded by Mayor Pro Tem Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman,  
Councilmembers Himmelblau, Mullen, Snell

Noes: None

Absent: Councilmember Trevino

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Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

ACCRON CHEMICAL DISTRIBUTORS  
3251 N. Pan Am Expressway  
San Antonio, Texas

- Hydrogen Peroxide, Water and  
Wastewater Department  
Twelve (12) Month Supply Agreement  
Item 1, 60 drums - \$9,591.60

The motion, seconded by Mayor Pro Tem Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman,  
Councilmembers Himmelblau, Mullen, Snell

Noes: None

Absent: Councilmember Trevino

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Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

CAPITAL AUTOMOTIVE EQUIPMENT	- Roll Bed Hydraulic Press, Vehicle
6225 N. Lamar Boulevard	& Equipment Services Department
Austin, Texas	Item 1, 1 ea. - \$9,614.00

The motion, seconded by Mayor Pro Tem Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman,  
Councilmembers Himmelblau, Mullen, Snell,  
Noes: None  
Absent: Councilmember Trevino

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Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

Bid award:	- Tilt and Implement Trailers, Vehicle & Equipment Services Department
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CLIFTON METAL PRODUCTS, INC.	- Items 4-6, 1 ea. - \$12,546.00
124 Dallas Street	
Fort Worth, Texas	

HOBBS TRAILERS	- Item 1, 1 ea. - \$29,295.00
1000 South Main	
San Antonio, Texas	

The motion, seconded by Mayor Pro Tem Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman,  
Councilmembers Himmelblau, Mullen, Snell  
Noes: None  
Absent: Councilmember Trevino

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Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

FLOW CONTROL DIV. OF ROCKWELL INT'L  
1900 S. Saunder Street  
Raleigh, N.C.

- Emergency repair of Rockwell Int'l  
14" Main Steam Stop Valve at Holly  
Power Plant, Electric Utility  
Department - \$18,000.00

The motion, seconded by Mayor Pro Tem Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman,  
Councilmembers Himmelblau, Mullen, Snell

Noes: None

Absent: Councilmember Trevino

#### GRANT APPLICATION FOR LIBRARY

Councilmember Mullen moved that the Council adopt a resolution approving an application for a grant under the State Library Systems Act and the Federal Library Services and Construction Act, Title I, for the amount of \$378,856 to cover expenses of the Central Texas Library System for FY 1981 in the provision of materials and support services to member libraries. The motion, seconded by Mayor Pro Tem Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman,  
Councilmembers Himmelblau, Mullen, Snell

Noes: None

Absent: Councilmember Trevino

#### CENTRAL TEXAS LIBRARY RESOURCES DIRECTORY

Councilmember Mullen moved that the Council adopt a resolution approving an application for a \$29,231 grant under Title III, Library Services and Construction Act for production and distribution of a Central Texas Library Resources Directory. The motion, seconded by Mayor Pro Tem Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman,  
Councilmembers Himmelblau, Mullen, Snell

Noes: None

Absent: Councilmember Trevino

MUTUAL AID IN FIRE PROTECTION  
WITH BERGSTROM AFB

Councilmember Mullen moved that the Council adopt a resolution to enter into an agreement with Bergstrom Air Force Base for mutual aid in fire protection. The motion, seconded by Mayor Pro Tem Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman,  
Councilmembers Himmelblau, Mullen, Snell  
Noes: None  
Absent: Councilmember Trevino

ACTUARY FOR POLICE RETIREMENT

Councilmember Mullen moved that the Council adopt a resolution appointing Rudd & Wilson, Incorporated as the consulting actuary to the Police Retirement System at a cost of \$2,500 for FY 79-80, an additional charge for FY 80-81 of \$7,500 will be incurred for preparation of the annual actuarial valuation, total cost of \$12,500. The motion, seconded by Mayor Pro Tem Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman,  
Councilmembers Himmelblau, Mullen, Snell  
Noes: None  
Absent: Councilmember Trevino

ROVING LEADER

Councilmember Mullen moved that the Council adopt a resolution authorizing execution of a contract with Austin Travis County Mental Health/ Mental Retardation for supplemental Roving Leader position for period May 1, 1980 - September 30, 1980, in the amount of \$11,540.00. The motion, seconded by Mayor Pro Tem Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman,  
Councilmembers Himmelblau, Mullen, Snell  
Noes: None  
Absent: Councilmember Trevino

AUSTIN COMMUNITY NURSERY AND CHILD, INC.

Councilmember Mullen moved that the Council adopt a resolution to amend contracts with Austin Community Nursery and Child, Inc. to remove matching restriction on city funds. The motion, seconded by Mayor Pro Tem Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman,  
Councilmembers Himmelblau, Mullen, Snell  
Noes: None  
Absent: Councilmember Trevino

Councilmember Himmelblau asked "What will this do to next year's request?" Carlos Herrera, Director of Human Services, answered, "This will be a qualified restriction removal in that we are only asking for it to apply to this year. They have had significant reduction in funds, both of these organizations, and we're trying to find a way to make flexibility in their budget to be able to achieve some of the goals they had outlined for this year." Councilmember Himmelblau asked, "Do you anticipate that they will want full funding from the city, then?" Mr. Herrera told her, "We have the HSRT process to go through now. During that process we'll take every precaution to do a thorough analysis of what their request is. At this point we don't happen to know that yet." Councilmember Himmelblau asked, "Without the Federal funding, are they going to be held to the same guidelines that they have been held to in the past, which, I think, cut the number of children that can be taken?" Mr. Herrera answered he does not know if that will be a requirement or not but as long as they have those funds in any amount they will be tied to it."

TEMPORARY STREET CLOSING

Councilmember Mullen moved that the Council adopt a resolution to temporarily close Congress Avenue from E-W First Street to Barton Springs Road to thru traffic from 12:45 p.m. to 1:45 p.m., May 19, 1980 as requested by the Urban Transportation Department. The motion, seconded by Mayor Pro Tem Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman,  
Councilmembers Himmelblau, Mullen, Snell  
Noes: None  
Absent: Councilmember Trevino

NO CHANGE IN PUBLIC HEARING TIME

Council had before them a resolution to reschedule time for public hearing on amending the Zoning Ordinance to regulate the location of certain sexually oriented commercial establishments; scheduled for May 22, 1980 at 4:00 p.m. They did not choose to change the time.

APPEAL WITHDRAWN

Council had before them a resolution to reschedule time for public hearing on an appeal from Mr. John C. Meinrath, regarding the Planning Commission's decision on Special Permit C14p-80-021, A & S Apartments, known as Gateway Apartments. The applicant withdrew his appeal.

WEATHERIZATION ASSISTANCE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE 1979-1980 OPERATING BUDGET BY ACCEPTING \$8,565.00 FROM THE TEXAS DEPARTMENT OF COMMUNITY AFFAIRS; APPROPRIATING \$8,565.00 FROM THE TEXAS DEPARTMENT OF COMMUNITY AFFAIRS FOR THE PURPOSE OF FUNDING PROGRAM INCREASES TO THE WEATHERIZATION ASSISTANCE FOR LOW INCOME PERSONS PROGRAM; EXTENDING THE TERMINATION DATE OF THE PROGRAM TO DECEMBER 31, 1980; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen, Snell, Mayor McClellan  
Noes: None  
Absent: Councilmember Trevino

The Mayor announced that the ordinance had been finally passed.

PARADE PERMIT ORDINANCE AMENDED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 31-12 OF THE CODE OF THE CITY OF AUSTIN OF 1967; ADDING A NEW SUBSECTION (d) (5) PROVIDING FOR A POLL OF MERCHANTS ABUTTING THE STREET WHEREIN A PROPOSED PARADE ROUTE WILL REQUIRE THE RESERVATION OF CERTAIN PARKING SPACES; PROVIDING FOR SUBMISSION OF THE POLL INFORMATION TO THE CITY COUNCIL WITH THE PARADE APPLICATION; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen, Snell, Mayor McClellan

Noes: None

Absent: Councilmember Trevino

The Mayor announced that the ordinance had been finally passed.

## OPERATING BUDGET AMENDED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1979-1980 BY ACCEPTING AND APPROPRIATING \$46,210.00 FROM THE HERITAGE CONSERVATION AND RECREATION SERVICE UNDER THE URBAN PARK AND RECREATION RECOVERY ACTION PROGRAM FOR THE PURPOSE OF COMPLETING COMPONENTS OF THE PARKS AND RECREATION DEPARTMENT MASTER PLAN; SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen, Snell, Mayor McClellan

Noes: None

Absent: Councilmember Trevino

The Mayor announced that the ordinance had been finally passed.

## SPEED ZONES MODIFIED

AN ORDINANCE AMENDING SECTION 21-41, SUBSECTIONS (d) and (g), OF THE AUSTIN CITY CODE OF 1967, MAKING CERTAIN ADDITIONS AND DELETIONS TO SAID SUBSECTION, THEREBY DECLARING MAXIMUM PRIMA FACIE SPEED LIMITS ON CERTAIN STREETS WITHIN SCHOOL ZONES IN THE CITY OF AUSTIN, PURSUANT TO AND IN ACCORDANCE WITH THE PROVISION OF THE "UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS," (VERNON'S ANN. CIV. ST., ART. 6701d); REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen, Snell, Mayor McClellan

Noes: None

Absent: Councilmember Trevino

The Mayor announced that the ordinance had been finally passed.

Part 1: That Section 21-41 of the Austin City Code of 1967 be further amended by deleting the following from sub-section (g) thereof:

<u>ON</u>	<u>FROM</u>	<u>TO</u>
Congress Avenue	418' north of North Bluff (Sta. 300 + 95.7)	376' south of North Bluff Drive (Sta. 308 + 90.7)

Part 2: Adding the following to sub-section (g):

Congress Avenue	469' north of the center line of North Bluff (Sta. 300 + 29)	375' south of the centerline of Eberhart Lane (Sta. 312 + 81)
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Part 3: Deleting the following from sub-section (d):

Congress Avenue	213' north of the north curb line of Johanna	200' south of the south curb line of Johanna
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Part 4: Adding the following to sub-section (d):

Congress Avenue	227' north of the north curb line of West Mary (Sta. 11+ 93)	244' south of the south curb line of LeLand (Sta. 123 + 42)
Montopolis Drive	225' north of the north curb line of Larch Terrace	245' south of the south curb line of Porter
Walsh Tarlton	385' south of the south curb of Terrapin	150' south of the south side of Pinnacle Drive

ORDINANCE AMENDMENTS

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 780316-B, ENACTED BY THE CITY COUNCIL MARCH 16, 1978, BY CORRECTING THE LEGAL DESCRIPTION OF THE PROPERTY ZONED BY SAID ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C14-78-006)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers  
Himmelblau, Mullen, Snell, Mayor McClellan  
Noes: None  
Absent: Councilmember Trevino

The Mayor announced that the ordinance had been finally passed.

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Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 780316-B, ENACTED BY THE CITY COUNCIL ON MARCH 16, 1978, BY CORRECTING THE LEGAL DESCRIPTION OF THE PROPERTY ZONED BY SAID ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C14-78-008)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers  
Himmelblau, Mullen, Snell, Mayor McClellan  
Noes: None  
Absent: Councilmember Trevino

The Mayor announced that the ordinance had been finally passed.

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Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 780316-B, ENACTED BY THE CITY COUNCIL ON MARCH 16, 1978, BY CORRECTING THE HEIGHT AND AREA DESIGNATIONS OF THE PROPERTY ZONED BY SAID ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C14-78-011)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen, Snell, Mayor McClellan

Noes: None

Absent: Councilmember Trevino

The Mayor announced that the ordinance had been finally passed.

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Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 780810-E, ENACTED BY THE CITY COUNCIL ON AUGUST 10, 1978, BY CORRECTING THE LEGAL DESCRIPTION OF THE PROPERTY ZONED BY SAID ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C14-78-112)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen, Snell, Mayor McClellan

Noes: None

Absent: Councilmember Trevino

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 780413-T, ENACTED BY THE CITY COUNCIL ON APRIL 13, 1978, BY CORRECTING THE LEGAL DESCRIPTION OF THE PROPERTY ZONED BY SAID ORDINANCES; SUSPENDING THE RULE REQUIRING THE READING OF ORINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C14-78-003)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen, Snell, Mayor McClellan

Noes: None

Absent: Councilmember Trevino

The Mayor announced that the ordinance had been finally passed.

#### NEW COUNCIL MEETING TIMES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE OF THE CITY OF AUSTIN ESTABLISHING CITY COUNCIL MEETING TIMES AS FOLLOWS: A) FIRST THURSDAY OF THE MONTH - 9:00 A.M. B) SECOND THURSDAY OF THE MONTH - 3:00 P.M. C) THIRD THURSDAY OF THE MONTH - 6:00 P.M. D) FOURTH AND FIFTH THURSDAY OF THE MONTH - 9:00 A.M., SUSPENDING THE RULE REQUIRING THE READING OR ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen, Snell, Mayor McClellan

Noes: None

Absent: Councilmember Trevino

The Mayor announced that the ordinance had been finally passed.

COUNCIL MEETING CANCELLED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE OF THE CITY OF AUSTIN, TEXAS; CANCELLING THE FOLLOWING REGULARLY SCHEDULED CITY COUNCIL MEETINGS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (June 19, 1980, July 10, 1980, August 14, 1980)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen, Snell, Mayor McClellan

Noes: None

Absent: Councilmember Trevino

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCE AMENDMENTS

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS 1 AND 2 OF THE HARMONY MISSIONARY CHURCH SUBDIVISION, LOCALLY KNOWN AS 2043-2007 ANDERSON LANE, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Anderson Lane Baptist Church, C14-80-038)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen, Snell, Mayor McClellan

Noes: None

Absent: Councilmember Trevino

Abstain: Councilmember Cooke

The Mayor announced that the ordinance had been finally passed.

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May 15, 1980

CITY OF AUSTIN, TEXAS

Mayor McClellan brought up the following ordinance for its first reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 72.43 ACRE TRACT OF LAND OUT OF THE JAMES P. WALLACE SURVEY, LOCALLY KNOWN AS 7217-7223 NORTH LAMAR BOULEVARD, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND PROVIDING AN EFFECTIVE DATE. (Janice Nolley, C14-79-244)

The ordinance was read the first time, and Councilmember Himmelblau moved that the ordinance be passed to its second reading. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Cooke, Mayor McClellan

Noes: None

Absent: Councilmember Trevino

Abstain: Councilmember Snell, Mayor Pro Tem Goodman

The Mayor announced that the ordinance had been passed through its first reading only.

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Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT 1, STRINGER AND CARTER SUBDIVISION, LOCALLY KNOWN AS 5003 AND 5005 HAMILTON LANE, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (James C. & Helen Butler, C14-79-066)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Goodman, Councilmembers Himmelblau, Snell,  
Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Trevino

Abstain: Councilmember Mullen

The Mayor announced that the ordinance had been finally passed.

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Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 9.005 ACRE TRACT OF LAND OUT OF THE J.C. TANNEHILL SURVEY, ABSTRACT NO. 22, LOCALLY KNOWN AS THE 900 BLOCK OF ED BLUESTEIN BOULEVARD, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (John Joseph, C14-74-146)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen, Snell, Mayor McClellan

Noes: None

Absent: Councilmember Trevino

The Mayor announced that the ordinance had been finally passed.

#### YOUTH AFFAIRS COUNCIL

Mayor McClellan introduced an Item to Council concerning the restructuring and reactivating of the Youth Affairs Council. Will Davis, Jr. who has been working in the Mayor's office as an intern had done research into the reactivation of the Council by talking to students and faculty of the Austin high schools. He said the Youth Affairs Council is an advisory committee for the Mayor and Council concerning drugs, alcohol, teen age pregnancy, etc. He said the youth want a voice in these issues and suggested a Council be reactivated with 18 students (2 from each school), 1 representative from Parks and Recreation and 1 representative from AISD. He felt there should be a new way to get students on the committee, via a committee of teachers who select students best qualified. He felt the ethnic make-up of the committee should be well balanced and members should serve one year.

Councilmember Cooke agreed it would be a good idea to reactivate the Youth Affairs Council but felt 18 people at a monthly meeting is too many. He suggested 2 or 3 sub-committees. Mayor McClellan commented she would like to see a new start for the Youth Affairs Council.

Motion

Mayor Pro Tem Goodman moved that the Council reactivate the Youth Affairs Council. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen, Snell, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Trevino

Councilmember Cooke suggested there be an item on the August agenda concerning the Youth Affairs Council, with a definition to be sent to high schools as a starting point.

## COMPARISON OF FULL AND MID SIZE BUSES

Dr. Benson, Acting Director of Urban Transportation, presented the following report on the Comparison of Full-Size and Mid-Size Buses:

During the regular meeting of the Austin City Council on April 3, 1980, several Urban Mass Transportation Administration (UMTA) grant applications were presented for consideration. Part of the ensuing discussion centered on comparison of full-size and mid-size transit coaches. The following is a summation of that discussion as well as some additional pertinent information:

"In regard to fuel, it does not appear that there is a large potential savings through utilization of mid-size buses. Based on Austin Transit's current operating experience, a full-size bus (43 to 45 passengers) averages 3.68 miles per gallon. This has been accomplished primarily in local service where buses stop frequently to load and unload passengers.

On the other hand, a mid-size bus (27 passengers) averages 5.50 miles per gallon. However, this has been accomplished almost totally in special transit service where buses stop infrequently while providing door-to-door, demand responsive transport for mobility impaired individuals.

The following depicts the fuel cost per hour for operation of full-size and mid-size transit coaches at several different prices per gallon of diesel fuel:

<u>Diesel Fuel</u> (Cost/Gallon)	<u>Full Size</u> <u>Coach</u> (Cost/Hour)	<u>Mid-Size</u> <u>Coach</u> (Cost/Hour)
\$0.40	\$1.41	\$0.94
0.50	1.76	1.18
0.75	2.65	1.77
1.00	3.53	2.36
1.50	5.30	3.54
2.00	7.06	4.72

Austin Transit is currently paying \$.945 per gallon for diesel fuel. Therefore, at this price per gallon, the fuel cost per hour for a full-size bus is \$3.33 and \$2.23 for a mid-size coach.

Thus there is a savings of \$1.10 per hour per bus -- a thirty-three percent (33%) savings in fuel costs -- for each mid-size coach that is utilized.

In relation to total operating costs, fuel represents only about eleven percent (11.3%) of the costs. Again, using the current fuel price, the total per hour operating costs for full-size and mid-size buses respectively equals \$21.30 and \$20.20. Therefore, fuel represents 15.6% of the hourly operating cost for a full-size coach and 11.0% of the hourly operating cost for a mid-size coach. Thus, a 4.6% savings in operating cost per bus could be realized by using mid-size coaches.

In regard to other factors, several points should be noted. Mid-size heavy duty transit coaches are the same height and width as the full-size coach but are shorter in length. Turning radii is less, full-size is 37' compared to 28'6" for the mid-size. It is felt that the maintenance costs for mid-size coaches will be equal to or greater than for a full-size coach. Full-size coaches can be used on any route whereas mid-size coaches will be limited by seating capacity to certain routes. If ridership increases, the greater demand for service (seating capacity) may off set the fuel savings resulting from use of mid-size coaches. The purchase price for a full-size coach is in the range of \$140,000 (\$9,800 local share) and is approximately \$115,000 (\$8,050 local share) for mid-size coaches. Finally, the overriding factor in selecting the coach size to be acquired is the availability of a proven mid-size coach. Two companies are producing what is classified as a heavy duty mid-size transit coach. Chance Manufacturing (minibus) has been in production since 1977. The Austin Transit System currently has five of these units in operation in the Special Transit Service. A prediction of their value in regular route service is difficult since the S.T.S. usage is not as demanding on the equipment

as route service. Although, it must be noted that even under the lighter use, brake and tire wear far exceed that of the full-size coach. The other vehicle available is the T.M.C. City Cruiser which has just recently begun delivery. This coach is only 3 ft. shorter than the standard 45-passenger coach but seats 10 less passengers.

Several small vehicles are available but are built on truck chassis which reduce life expectancy drastically when compared with the heavy duty coach. The reliability and maintenance costs of these vehicles under transit route usage cannot compare with the heavy duty coach. Although the initial capital outlay is much less, the extended operating costs, and the replacement cycle, make the low original outlay inconsequential.

Finally, in regard to productivity, a comparison of the cost to provide eighty (80) to ninety (90) seats per hour utilizing full-size or mid-size coaches will follow. Here, the major difference is that this seating requirement will require two (2) full-size or three (3) mid-size coaches.

COSTS TO PROVIDE 80 TO 90 SEATS PER HOUR  
UTILIZING FULL-SIZE OR MID-SIZE COACHES

	<u>Full-size</u> Per Hour	<u>Mid-size</u> Per Hour
Number of seats	86 (2 @ 43)	81 (3 @ 27)
Oper. cost exc. fuel	\$35.94 (2 X \$17.97)	\$53.91 (3 X \$17.97)
Fuel Costs	6.66 (2 X \$3.33)	6.66 (3 X \$2.23)
Amortized bus cost	0.40 (2 X \$0.20)	0.48 (3 X \$0.16)
	-----	-----
Total Hourly Cost	\$43.00	\$61.08
Cost per seat hour	\$ 0.500	\$ 0.754

Councilmember Cooke asked what the feeling is in the industry regarding the flexibility of mid-size buses. He wondered if there is anything in the service which is not picked up in the cost for a report on an industry evaluation with the following questions answered: Why are some cities buying them? Are there some reasons why they may not be suitable for Austin?

Dr. Benson said that after further study, his department may recommend a mixed fleet.

## PUBLIC HEARING ON ORDINANCE AMENDMENTS

Mayor McClellan opened the public hearing, scheduled for 7:00 p.m. on amendments to the following ordinances:

1. Equal Employment Opportunity
2. Public Accommodations
3. Fair Housing

John Darrouzet, Chairperson, Austin Human Relations Commission, urged passage of amendments as proposed.

Mack Kidd, past president, Austin Association for Retarded Citizens, appeared before Council to ask them to pass the amendments. He said that as it stands, physical impairment is included in the three ordinances and asked Council to amend the ordinance to include mental impairment. He commented the only place for enforcement of the ordinances is in Municipal Court but felt the ultimate enforcement of all of the ordinances is the educational value...being able to use them as tactics with landlords who hesitate to rent to the mentally retarded. Mr. Kidd went on to say they are drafting an amendment to the Equal Employment Opportunity Ordinance which would be an escape clause for the employer, applying to all handicapping conditions, that if it is too onerous a burden for him to comply with the ordinances, that under those circumstances he would be alleviated from complying with the ordinances.

MARTHA BOSTON, local attorney, representing the Austin Mental Health Association, urged Council to pass the ordinance amendments. She discussed the Federal and State legislation which protects the rights of the handicapped.

RENEA HICKS, Staff Attorney, Advocacy, Inc., spoke in support of the amendment to the ordinances. He said that in the past year there have only been 115 complaints across the state of Texas regarding employment of the handicapped. On investigation, fewer than 10 were actually related. There were 55 housing matters complained about across the state, and fewer than 5 of these were actually related. The bottom line is that he does not believe by passage of the ordinance that Council will be inundated with complaints.

PAT POUNDS, representing MIGHT, told Council she is honored to be part of the Human Relations Commission, and is very committed to the rights of mentally handicapped, also.

FRANK HORSFAL appeared to state he supports what the applicants are requesting.

Motion

Mayor Pro Tem Goodman moved that the Council close the public hearing on Amendments to the Equal Employment Opportunity, Public Accommodations and Fair Housing Ordinances; vote will be taken May 22, 1980. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman

Noes: None

Absent: Councilmember Trevino

## APPEAL OF PLANNING COMMISSION'S DECISION

Mayor McClellan opened the public hearing set for 7:30 p.m. on an appeal from Mr. Tim Mathews, Nash Phillips/Copus Company Land Manager, regarding the Planning Commission's decision denying a Special Permit (C14p-80-10)

Mr. Lillie, Director of Planning, reviewed the application by use of slides. He said the applicant has agreed to ordinance conditions and to the hike and bike trail. He presented, for the record, a petition with 243 names of people opposed to the proposed apartment project. Mr. Lillie told Council that if they approve the permit, it will not be released until all requirements are met.

DAVID ARMBRUST, representing Nash Phillips-Copus asked that their Special Permit request be returned to the Planning Commission. He said the tract is not appropriate for single family dwellings and with the "BB" use now on the property the site could be used for a convenience store.

TIM MATHEWS, representing NPC, told Council, "We've gone to pretty lengthy extremes as far as a tree survey which is what Mr. Turlington is holding up right there. All that you see in green are actually trees on the site. There are approximately 142 trees of 4" in diameter or larger..... We've gone out and physically walked around on the site and located to take its advantage of saving all the trees." He went on to say there will be 128 units with two driveways. A berm on the east side will serve as a noise buffer and will stop the headlights from shining into adjoining residences. He said a floodplain, which coincides with the contour of the land is the correct one and there will be a retention system and drainage plan. The noise level has been studied at another apartment site identical to the proposed plan and it was found the noise level to be below that for an average apartment project. He said most of the noise will come from Manchaca Road. Mr. Lynn Turlington, president, B.L. Turlington, Associates, who is the developer of the project, reiterated Mr. Mathews statements re the noise level and traffic studies.

KEN AICKLEN, consulting engineer, Lockwood, Andrews & Newman, gave the same statistics concerning noise levels and traffic counts.

EVERETT OWEN, Espey, Huston, said he had investigated the detention system and could find no difficulty. The berm, drainage, etc. will not hinder drainage for the neighborhood; the floodplain will cause no major difference to have construction near it.

SUSAN CARLMAN, member of the neighborhood association, told Council they think the project has no benefits for the neighborhood.

LEONARD STEINFELDT, 4902 Lansing Drive, stated the 243 signatures on the petition are not legally binding but they do show the concern of the neighbors. He said the greenbelt which they are proposing for apartments has been kept mowed and used as playground for 21 years.

Councilmember Cooke pointed out that if these apartments are not built there, others can be, and wanted the neighborhood to be aware of the situation.

GARY HENRY, resident of Lansing Drive, who is a Boy Scout and a member of the Audubon Society, said if the project is built, sediment from the parking lot will wash into Williamson Creek and the wildlife will be destroyed. He asked Council to vote against the requested permit.

BARBARA BOSTICK, Manchaca Drive, told Council no left turn is provided for Manchaca Drive and it cannot be widened at this point. She said an apartment complex would increase the danger.

SONDRA DICKERSON, neighborhood resident, told Council there will be an increase in traffic and more accidents.

Jerry Carlman, Lansing Drive resident, showed a chart which intimated the developer has the wrong floodplain line and that some buildings would be in the floodplain.

Councilmember Cooke questioned the building in the floodplain and wondered if there had been landfill added to the property since the request for a Special Permit. He was told no landfill had been added since 1974. Tim Mathews returned to say the 638 line for the floodplain was the data they have been given. The Corps of Engineers is presently doing a study and if the line changes, Nash-Phillips-Copus will comply.

GENE DURANT appeared before Council and told him the proposed sport court is too close to the neighbors and would be used mainly between 5-9 p.m. when the residents want it quiet.

CAROL HUNTLY, 4906 Lansing Drive, showed a colored map which pointed out the fact the proposed zoning would be spot zoning. She asked Council to deny the project since it has so many problems.

JOHN HODNUTT, neighborhood resident, wondered why the property has not been built on previously, and thinks there will be a traffic problem if apartments are built, as well as some ecological problems. He asked Council to deny the appeal.

Councilmember Cooke asked what could be built on the site if the proposed apartment project is denied. Mr. Lillie told him a 132 unit apartment structure can be put up, with the units tied together. Councilmember Snell asked what the correct floodplain is, and Mr. Lillie answered it is 638 or so. The latest will be used when the Special Permit is granted. He also said a building can be in a floodplain.

Councilmember Himmelblau asked, "Did you say there has to be a re-subdivision on this land?" Mr. Lillie answered, "There will have to be a subdivision in that I think this is probably a remnant of the whole subdivision and never did come in as a lot." Councilmember Himmelblau asked, "Could this be under the 1978 or 1979 Attorney General's ruling on subdivisions?" Mr. Lillie said he could check it out but does not think so because it is not a replat. It's probably a lot that has never been platted. Mrs. Himmelblau thought it would make a lot of difference as far as the neighborhood goes if it does come under the Attorney General's ruling and asked when Council could obtain that information. Mr. Lillie said he could get it immediately. Tim Mathews, Nash Phillips-Copus, told her the lot has never been a final subdivision. It was preliminaried back to the time prior to the residences being built, but was never filed. He said it is his understanding the land would not come under the Attorney General's ruling since it is not a replat. In order for it to be it would have had to have been finalized and recorded subdivision some point in time, which has never happened on this tract of land.

Mr. Carlman returned to ask how Mr. Lillie can be certain of the floodplain line. Mr. Lillie reiterated that whatever is recommended as the final flood line is the one which will be used at that time. Councilmember Mullen said that unless there is other information, the floodplain line is not relevant because the buildings can be built with a slight elevation change. Mr. Carlman said, "I'd certainly like it on record as a question to force them to go through the procedure if this is passed of getting a waterway permit because when you get a waterway permit and you do raise a foundation you must also excavate within that waterway. ....I just want to point out the waterway will have to be excavated beyond the apartments to make up for what they are building in them which will destroy the natural waterway. It will no longer be a natural waterway at that point, it will be excavated."

DAVID ARMBRUST returned to present the applicant's summation. He reviewed what he had said previously and stated the applicant will waive the sports court. Lynn Turlington told the neighborhood they will have a lighting expert arrange the lights subject to the approval of the Planning Commission.

Councilmember Himmelblau returned to her questioning regarding the subdivision and said the land looks like it was cut out of the subdivision. Mr. Lillie said it was probably left as a remnant or last piece because of the LCRA easement and floodplain itself. She asked if the final was in Mr. Lillie's office, he said it is. She said she wanted to see what is on the final. After some discussion, Council decided to close the public hearing and vote on the appeal either later in the meeting or next week, whenever the information can be obtained for Councilmember Himmelblau.

#### Motion

Councilmember Mullen moved that the Council close the public hearing. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman, Councilmember Himmelblau

Noes: None

Absent: Councilmember Trevino

Later in the meeting, Mr. Lillie returned to the Council Chamber and addressed Council as follows: "We went back to the file and Park Forest Subdivision began in 1955 and 9 plats were filed through 1959 by NPC. The land was acquired from Mr. Drake and as the land was acquired the final plats were approved by the Planning Commission and filed. This particular piece of property was not a part of those early plats. It was identified as a piece of property belonging to Mr. Drake but never did appear in the Park Forest Subdivision area north of the creek and east of Manchaca Road as a part of any final plat." Councilmember Himmelblau asked, "So this doesn't pertain, then, to the Attorney General's ruling?" Mr. Lillie answered, "Not according to Mr. DeLaRosa and my judgement." Councilmember Himmelblau stated, "I know there's been some changes since I was on Planning Commission. You don't have to final out then before you're zoned." Mr. Lillie said, "No, there was a time when zoning came through, one of the conditions for the zoning was to have the subdivision approved. That requirement was dropped because it generally left a zoning case pending for a long time, and when Council adopted their policy of bringing pending cases before Council it generally meant the case was dismissed and they would have to start over because it was usually the case that they simply were not ready to subdivide. .... It pertains the same to Special Permits. We will not allow the Special Permit to be released with the Building Permit issued until the subdivision plat has been filed and recorded." Councilmember Himmelblau asked if it would be incorrect to ask that the subdivision be finalized before the Council votes on affirming it. Mr. Lillie said he thought that would be appropriate. Mrs. Himmelblau said that would solve the question of the

floodplaining and the ponding. Mr. Lillie said the waterway is a part of that process. Councilmember Himmelblau asked if the applicant would agree to finaling out before coming back. Mr. David Armbrust said he is not sure what purpose would be served. Councilmember Himmelblau told him he has a good site plan but is concerned with the ponding.

Councilmember Cooke asked if consideration has been given to build condominiums on the site and asked if the applicant knows about A-2 zoning. Mr. Turlington told him it is a unique site and not conducive to single family living. He said Nash Phillips-Copus does not think condominiums will work. Councilmember Cooke said he thinks condominiums would be the best usage for the land. Councilmember Himmelblau asked if the applicant had thought of stepping down with duplex and apartment units at Manchaca? Mr. Mathews told her they thought apartments on the whole area is better use of the land. Mrs. Himmelblau said it is a good site plan but she does not want apartments against an "A" area.

#### Motion

Mayor Pro Tem Goodman moved that the Council deny the Special Permit and uphold the Planning Commission standards for granting or denying a Special Permit by taking into consideration three of the factors: (1) Safety of the motoring public and of pedestrians using the facility and the area immediately surrounding the site; (3) Protection of adjacent property from flood or water damage; (6) Street size and adequacy of pavement width for traffic reasonably expected to be generated by the proposed use around the site and in the immediate neighborhood. The motion was seconded by Mayor McClellan.

Councilmember Cooke commented that for the neighborhood to think nothing will be built on the site is unrealistic. Councilmember Mullen commented he would rather see apartments on the site than a 7-11.

#### Substitute Motion - Died for Lack of Second

Councilmember Mullen made a substitute motion to allow the Special Permit. There was no second to the Motion.

#### Substitute Motion - FAILED

Councilmember Snell moved that the Council send Special Permit (C14p-80-10) back to the Planning Commission. The motion, seconded by Councilmember Mullen, failed to carry by the following vote:

Ayes: Councilmembers Mullen, Snell  
 Noes: Mayor Pro Tem Goodman, Councilmember Himmelblau, Mayor McClellan,  
 Councilmember Cooke  
 Absent: Councilmember Trevino

Roll Call on Original Motion

Roll Call on Original Motion to deny the Special Permit and uphold the Planning Commission standards, showed the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman,  
Councilmember Himmelblau  
Noes: Councilmembers Mullen, Snell  
Absent: Councilmember Trevino

CHRISTMAS BONUS

MR. ARCHIE OBANNON appeared before Council to request the stability pay given to employees at Christmas time be in a check separate from rather than included in the pay check for that pay period. Mr. Obannon said he was speaking for the Street and Bridge Department.

Mayor McClellan told Mr. Obannon she would check this out with Personnel and report back to Mr. Obannon.

ACCOMMODATIONS FOR BICYCLE TRAFFIC

MR. TOMMY EDEN, 2000 Pearl Street, appeared before Council, representing no one, to discuss accommodations for bicycle traffic. He said he is asking for a way for cyclists to cross Congress Avenue Bridge. He says he has a petition of 711 signatures of people who back his request for a painted walk which would be used by Cyclists only, and signs erected which would say Bike Crossing. Councilmember Goodman told him bike lane options will be addressed at the next meeting of the Urban Transportation Commission and that there are adequate funds in the Bikeway Plans to do what Mr. Eden is asking.

MONORAIL/AIRPORT PROJECT

MR. RICHARD F. "BUD" FLYNN appeared before Council to discuss the monorail/airport project in concert with San Antonio. He also announced he will leave for California tonight.

TRANSIT SYSTEM DISCUSSED

MR. BOB LUSK appeared before Council to discuss problems he has had with the Transit System. He stated he rides the bus about 25 times a week, cited some of the bad experiences he has had and asked if some things can be improved.

FRANK HORSFAL appeared to speak on the same subject. He said there has been a big improvement lately but there has been a breakdown in communications sometimes.

Mayor McClellan asked Dr. Benson, Acting Director of Transportation, to please look into the concerns of Mr. Lusk and Mr. Horsfal. Dr. Benson pointed out there is an on-going program of drivers contacting their supervisors to make checks on time schedules. He stated there are some time problems with buses.

#### MEDIEVAL ARTS AND CRAFTS FAIR

Councilmember Cooke moved that the Council approve the request of Mr. Steve Jackson, representing the Society for Creative Anachronisms to use Waterloo Park for Medieval Arts and Crafts Fair on June 7 & 8, 1980 and permission to sell food and drinks during event; subject to department regulations. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Snell, Mayor McClellan, Councilmember Cooke,  
Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen  
Noes: None  
Absent: Councilmember Trevino

#### REVOLVING FUND LOAN

Councilmember Himmelblau moved that the Council adopt a resolution authorizing second lien securing the revolving fund to loan to Mr. & Mrs. Sam Carruthers, 1602 East 1st Street, to be reduced to third lien position; if HUD loan is not accepted, city's portion will be restored to 2nd lien. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Mayor McClellan, Councilmember Cooke,  
Noes: None  
Absent: Councilmember Trevino  
Not in Council Chamber when roll was called: Mayor Pro Tem Goodman, Councilmember Snell

Prior to the vote Councilmember Himmelblau asked, "Instead of a third lien immediately, can we amend the request. I feel there is no real security for the city with a 3rd lien, but I understand the applicants predicament, but would like to have it read 'If the HUD loan is not accepted that the city's position will automatically be restored to a second lien.'" Assistant City Manager Miller stated, "I think that will be acceptable."

## FBO AGREEMENT WITH AUSTIN AERO, INC.

Councilmember Cooke moved that the Council adopt a resolution approving a Fixed Base Operator (FBO) Agreement with Austin Aero, Inc. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Goodman, Councilmember Himmelblau  
Noes: None  
Absent: Councilmember Trevino

Prior to the vote, Councilmember Cooke asked Mr. Roy Bayless, Director of Aviation, to report on the FBO Agreement. Councilmember Cooke pointed out the meticulous work done by Mr. Bayless and his staff. Mr. Bayless reported as follows:

Two existing FBO's Browning and Ragsdale, have served general aviation at the Municipal Airport for more than 20 years. These FBO's have been an asset to the Airport and the City of Austin. In order to meet the growing aviation needs of the public and to stimulate improvement in the general aviation services in the Austin region, the Departments of Aviation and Purchases and Stores solicited proposals from individuals and organizations to lease and develop a third FBO at the Municipal Airport.

In addition to public advertisement, all individuals or firms known to us to be interested in or capable of establishing an FBO were directly solicited. An evaluation committee was formed to review proposals received. This committee consisted of a general aviation specialist from the Texas Aeronautics Commission, an aviation oriented local bank president, and the Directors of Aviation, Finance, and Purchases and Stores of the City of Austin.

Because only one proposal was received, a competitive evaluation was obviously not possible. Nevertheless, the evaluation committee made a careful study of this proposal. The Committee was unanimous in its opinion that Austin Aero is highly qualified to finance, construct, develop and operate a successful, first-class FBO. Principals of Austin Aero, Inc., are Messrs. Gary Bradley, Dean Rush, and Don Starling. The proposed lease site is approximately 20 acres located on the east side of the Airport on 51st Street between Ragsdale Aviation and National Guard. Proposals were received in December, 1979.

Under the terms of the Agreement, the City will undertake site preparation of the FBO area. This project is budgeted at \$553,000. The Federal Aviation Administration (FAA) and the City Council have approved the grant agreement under which the FAA will provide 80 percent (\$442,400) funding. The City share of this project is \$110,600. Ground rental of eight cents per square foot per year on this site will produce new revenue of \$60,866 per annum. There will be additional revenue from the five cents per gallon fuel delivery fee which we estimate at a minimum of \$50,000 per year once they are fully established.

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The Agreement is for a 20-year period with adjustment of the ground rental rates at the end of the first five years based upon the Producer Price Index and Hourly Earnings not to exceed 25 percent. On March 1, 1987, at which time the Browning and Ragsdale agreements will be renegotiated, the Agreement with Austin Aero will also be renegotiated to assure consistency of rental fees to be paid by all three FBO's. There are also provisions for an option to extend the Agreement five years at a renegotiated rental rate. Moreover, the five cents per gallon fuel fee may be renegotiated at any time. Revenues to the City for the first 10 years are conservatively estimated at \$1,547,000.

In addition, under the terms of the proposed Agreement, the City has the right to take possession of Austin Aero financed improvements at the end of the 20-year term or at an earlier date upon the payment of their un-amortized investment. This payout provision is based upon straight line depreciation of Austin Aero's original construction cost over the 20-year term of the lease. Should Municipal Airport facilities be relocated at some future date, the City would be obligated to pay the lessee any unamortized investment. Initial investment by Austin Aero is estimated at \$1,250,000 and they will employ 31 people with an annual payroll of approximately \$540,000.00.

#### CONCLUSION

The new FBO is expected to not only reduce the backlog of requests for hangar and tie-down facilities, but also bring to Austin, sales, maintenance, and support services for the general aviation community. The airport master plan recommends establishment of an FBO on the proposed lease site. This action represents significant progress toward our goal of maximizing aviation facilities and services at the Municipal Airport. Favorable consideration by the City Council will permit us to move forward in establishing these new facilities.

#### RECOGNITION OF OLD PECAN STREET

Mayor McClellan presented a report to Council on the recognition of Old Pecan Street. She pointed out to the revitalization of East 6th Street and asked about the feasibility of re-naming it Pecan Street or Pecan/6th Street. The Mayor asked for a review of the proposal, with boundaries being determined and fiscal requests made, with a report back to Council.

Councilmember Cooke said he thought it would be best if a date is set in the future for a change in the street name, not right after the hearings are complete. If a date is set for a year or so after the approval, it gives the merchants time to change their address on letterheads, menus, street signs, etc. without a great deal of expense incurred. Mayor McClellan said that for this reason she feels a joint name of Pecan Street/6th Street is best.

Councilmember Snell stated, "I think it is going to be a very expensive item, Mayor, and I think we need to take it through all of its ramifications."

Motion

Councilmember Goodman moved that the Council approve the concept, with appropriate review, of the recognition of Old Pecan Street. The motion, seconded by Mayor McClellan, carried by the following vote.

Ayes: Councilmember Snell, Mayor McClellan, Councilmember Cooke,  
Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen  
Noes: None  
Absent: Councilmember Trevino

HOSPITAL BOARD APPOINTMENT

Councilmember Cooke moved that the Council appoint Roy Rushing to the Hospital Board. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmember Snell, Mayor McClellan, Councilmember Cooke,  
Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen  
Noes: None  
Absent: Councilmember Trevino

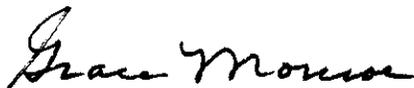
ADJOURNMENT

Council adjourned its meeting at 10:45 p.m.

APPROVED

  
Mayor

ATTEST:



City Clerk